

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Kok Liang TAN and Hong Meng LIM

U.S. Serial No. : 10/578,762

Confirmation No.: 1442

Filed : May 5, 2006

Examiner : Not Yet Assigned

Art Unit : Not Yet Assigned

For : ORTHODONTIC APPLIANCE

Law Offices of Albert Wai-Kit Chan, LLC  
World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
Whitestone, NY 11357

December 19, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

**COMMUNICATION IN RESPONSE TO DECEMBER 12, 2006 NOTIFICATION  
OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE  
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

This Communication is submitted in response to the December 12, 2006 Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (hereinafter as "Notice") issued by the United States Patent and Trademark Office (USPTO) in connection with the above-identified application. A copy of the December 12, 2006 Notice is hereby attached as **Exhibit A** (2 pages). A response to the Notice is due on February 12, 2007. Therefore, this Communication is being timely filed.

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**Declaration**

Applicants hereby submit a copy of the duly executed declaration as **Exhibit B** (2 pages) in compliance with 37 CFR 1.63 which identifies the application by the above application number and filing date. The surcharge for the late filing of the declaration is hundred-thirty dollars (\$130.00) for a small entity. Applicants hereby authorize to charge the amount of hundred-thirty dollars (\$130.00) for the payment of the surcharge.

If a telephone interview would be of assistance in advancing the prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below. If any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

Albert Wai-Kit Chan

Albert Wai-Kit Chan  
Registration No. 36,479  
Attorney for Applicant(s)  
Law Offices of  
Albert Wai-Kit Chan, LLC  
World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
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Email: chank@kitchanlaw.com

# **EXHIBIT A**



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/578,762	Kok Liang Tan	1189-PCT-US

INTERNATIONAL APPLICATION NO.
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PCT/SG03/00259

LA. FILING DATE	PRIORITY DATE
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11/07/2003

Albert Wai-Kit Chan  
Law Offices of Albert Wai-Kit Chan  
World Plaza, Suite 604  
141-07 20th Avenue  
Whinestone, NY 11357

CONFIRMATION NO. 1442

371 FORMALITIES LETTER



\*OC000000021555117\*

Date Mailed: 12/12/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/05/2006
- Copy of the International Search Report filed on 05/05/2006
- Preliminary Amendments filed on 05/05/2006
- Information Disclosure Statements filed on 09/22/2006
- U.S. Basic National Fees filed on 05/05/2006
- Specification filed on 05/05/2006
- Claims filed on 05/05/2006
- Abstracts filed on 05/05/2006
- Drawings filed on 05/05/2006

2/12/07 (2 mo, w/o fee)  
6/12/07 (6 mo, w/fee, abs dead)  
✓ paper  
✓ dec

A W K L L C

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/578,762	PCT/SG03/00259	1189-PCT-US

# **EXHIBIT B**

**DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ORTHODONTIC APPLIANCE**

the specification of which  
(check one)

  X   is attached hereto or  
\_\_\_\_\_ was filed on \_\_\_\_\_, as U.S. Serial No. \_\_\_\_\_ and  
amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed:

Prior Foreign Application(s) Number	Country	Filing Date	Priority Claimed	
			Yes	No
PCT/SG2003/000259	SG	7 November 2003		X

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
PCT/SG2003/000259	7 November 2003	Pending

And I hereby appoint:

Albert Wai-Kit Chan (Reg. No. 36,479) and Mark Elkins (Reg. No. 42,510)

Attorney, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to

Law Offices of Albert Wai-Kit Chan  
World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
Whitestone, NY 11357  
Tel: (718) 357-8836  
Fax: (718) 357-8615  
kitchanlaw@aol.com

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

- (1) Full name of inventor: TAN, Kok Liang  
Inventor's signature: [Signature]  
Citizenship: Singapore Date of Signature: 5th MAY 2006  
Residence: 19 Shelford Road, #04-13, Singapore 288408  
Post Office Address: same as the residence address
- (2) Full name of inventor: LIM, Hong Meng  
Inventor's signature: [Signature]  
Citizenship: Singapore Date of Signature: 5th MAY 2006  
Residence: 2 Ridgewood Close, #14-03, Singapore 276693  
Post Office Address: same as the residence address